

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of the City of San Diego for an order authorizing modification of an existing at-grade crossing on three light rail vehicle tracks and one heavy rail track of the Metropolitan Transit Development Board, and one heavy rail track of the Burlington Northern and Santa Fe Railway Company, at Park Boulevard, in the City of San Diego, San Diego County, California.

Application 01-09-012  
(Filed September 12, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING PREHEARING CONFERENCE**

On September 12, 2001, the City of San Diego filed its application seeking Commission authorization to modify an existing at-grade crossing near the intersection of Eighth Avenue and Harbor Drive in San Diego.

On October 12, 2001, the Rail Crossings Engineering Section (RCES) of the Commission's Rail Safety and Carriers Division protested San Diego's application. The protest stated that RCES had worked closely with the City of San Diego in reviewing the proposed at grade crossing, and believed that a grade separated crossing is necessary at this location.

Also on October 12, 2001, the Burlington Northern and Santa Fe Railway (BNSF) protested the application. BNSF stated that the application assumes that BNSF will modify its facilities (over which the crossing would pass) from two main tracks through the crossing to one. BNSF stated that it had no intention of

instituting such modifications. Moreover, BNSF contended that additional environmental review was required.

A prehearing conference has been scheduled:

**Monday, November 5, 2001  
10:00 a.m.  
San Diego State Office Building  
Auditorium (Room 4012)  
1350 Front Street  
San Diego, CA 92101**

Prior to the prehearing conference, the parties are directed to meet and confer regarding opportunities for resolving the identified issues, and the possibility of using factual or legal stipulations to narrow the disputed issues.

At the prehearing conference, all parties shall be prepared to discuss whether any further environmental review of this proposal is necessary.

**IT IS SO RULED.**

Dated October 23, 2001, at San Francisco, California.

/s/ MARIBETH A. BUSHEY  
Maribeth A. Bushey  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference on all parties of record in this proceeding or their attorneys of record.

Dated October 23, 2001, at San Francisco, California.

/s/ JEANNIE CHANG

Jeannie Chang

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.